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Attorney for Defendant
ROBERT JAMES HANNA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT JAMES HANNA,

Defendant.

CASE NO. 2:20-CR-00006-KJM

**STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE RE: DEFENDANT'S
MOTION PURSUANT TO 28 U.S.C. § 2255**

The United States, by and through its attorney of record, Michele Beckwith, and defendant Robert James Hanna, by and through his attorney of record, Erin J. Radekin, respectfully submit this stipulation and proposed order modifying the briefing schedule pertaining to Mr. Hanna's motion pursuant to 28 U.S.C. § 2255, ECF No. 41.

The parties agree and stipulate as follows:

1. Mr. Hanna's pro se motion under § 2255 was filed on September 8, 2022. ECF No. 41. The undersigned filed a motion to amend the pro se motion with a proposed amended § 2255 motion on September 29, 2023. ECF No. 63.

2. On October 19, 2023, the government filed a motion to dismiss and opposition to Mr. Hanna's motion to amend the pro se § 2255 motion and to Mr. Hanna's pro se § 2255 motion, ECF No. 66.

1 3. On November 6, 2023, the Court adopted the parties' stipulation to amend the briefing
2 schedule to make the defendant's reply to the government's submission due on January 2, 2024. ECF
3 No. 68.

4 4. Ms. Radekin has reviewed the government's motion to dismiss and opposition and engaged in
5 legal research. The response to the government's submission is substantially complete. In light of the
6 government's argument that Mr. Hanna's pro se pleading is untimely, Ms. Radekin needs additional
7 time to communicate with Mr. Hanna regarding his pro se pleadings and to possibly obtain a declaration
8 from Mr. Hanna pertaining to application of the prison mailbox rule. Mr. Hanna is in custody, serving
9 his sentence in this case, so communications must be by scheduled legal call and mail only, both time-
10 consuming processes.

12 5. In the last 90 days the undersigned had multiple obligations that did not permit extensions of
13 time due to state timeliness standards or other circumstances. The undersigned prepared and filed a state
14 petition for writ of habeas corpus in *People v. Bravo*, Sacramento County case no. 10F02227; state
15 motions to vacate convictions for defendants suffering from imminent immigration consequences from
16 those convictions in *People v. Taya*, Sacramento County case no. 19FE015804, *People v. Arul Doss*
17 *Prabakaran*, Placer County case no. 62-185787, and *People v. Cazares*, Solano County case no.
18 VCR188154; the reply brief in a coram nobis case for a defendant presently in removal proceedings in
19 *United States v. Singh*, D. Nev. case no. 13-cr-00118; and the opening brief, excerpts of record and reply
20 brief in an appeal of the denial of a motion for compassionate release of a defendant with a terminal
21 condition in *United States v. Richards*, 9th Circuit case no. 23-2868. In addition, the undersigned
22 prepared both the sentencing memorandum and reply brief in resentencing proceedings based on new
23 California sentencing laws in a complex case involving a life sentence, *People v. Khatoonian*,
24 Sacramento County case no. 17FE010114; and the appellant's opening brief in *People v. Reyes*, Fifth
25 D.C.A. case no. F085744.

28 6. Even though the undersigned has done substantial work on the reply brief in this case, she

requests 62 days to allow time to set up a confidential legal call with Mr. Hanna and to communicate with Mr. Hanna by mail, if necessary.

7. The parties have conferred and agree that a modification of the briefing schedule is warranted for the above reasons. Accordingly, the parties agree to modify the briefing schedule as follows: the reply brief is due **March 4, 2024**.

IT IS SO STIPULATED.

Dated: January 2, 2024

PHILLIP A. TALBERT
United States Attorney


/s/ Michele Beckwith
MICHELE BECKWITH
Assistant United States Attorney

Dated: January 2, 2024

/s/ Erin J. Radekin
ERIN J. RADEKIN
Counsel for Defendant
ROBERT JAMES HANNA

ORDER

IT IS SO ORDERED this 5th day of January, 2024.


CHIEF UNITED STATES DISTRICT JUDGE